UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1998/1096
18 November 1998

ORIGINAL: ENGLISH

LETTER DATED 18 NOVEMBER 1998 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to resolution 1161 (1998) of 9 April 1998, in which the Security Council requested me to reactivate the International Commission of Inquiry (Rwanda) and to submit an interim report to the Council on the initial conclusions of the Commission within three months of its reactivation, to be followed by a final report containing its recommendations three months later.

By a letter dated 27 May 1998 (S/1998/438), I informed the President of the Security Council that I had reactivated the International Commission of Inquiry and reported on its composition. The Commission's interim report was submitted on 19 August 1998 in document S/1998/777.

The purpose of the present letter is to transmit to the Council the final report of Commission (see annex). As requested by the Council, the report contains the Commission's conclusions, as well as its recommendations regarding possible measures to curb the illegal flow of arms in the Great Lakes region.

In accordance with resolution 1161 (1998), the Commission was financed by a Trust fund. I would like to take this opportunity to express my gratitude to the Governments that have contributed to the Fund.

I should be grateful if you would bring this matter to the attention of the Security Council.

(Signed) Kofi A. ANNAN

Annex

Final report of the International Commission of Inquiry
(Rwanda)

I. INTRODUCTION

1. The International Commission of Inquiry (Rwanda) was established pursuant to Security Council resolution 1013 (1995) of 7 September 1995 and it conducted investigations in the Great Lakes region and elsewhere between October 1995 and October 1996. The Commission's reports for that period can be found in documents S/1996/67, S/1996/195, S/1997/1010 and S/1998/63.

2. By paragraph 1 of its resolution 1161 (1998) of 9 April 1998, the Security Council requested the Secretary-General to reactivate the International Commission of Inquiry, with the following mandate:

> "(a) To collect information and investigate reports relating to the sale, supply and shipment of arms and related matériel to former Rwandan government forces and militias in the Great Lakes region of central Africa, in violation of Security Council resolutions 918 (1994), 997 (1995) and 1011 (1995);
>
> "(b) To identify parties aiding and abetting the illegal sale to or acquisition of arms by former Rwandan government forces and militias, contrary to the resolutions referred to above;
>
> "(c) To make recommendations relating to the illegal flow of arms in the Great Lakes region".

3. In a letter addressed to the President of the Security Council dated 27 May 1998 (S/1998/438), the Secretary-General notified the President of the Security Council that the membership of the Commission was as follows:

Mahmoud Kassem (Egypt) (Chairman)

Brigadier General Mujahid Alam (Pakistan)
Gilbert Barthe (Switzerland)
Mel Holt (United States of America).

The Commission was assisted in the field by a political officer and a secretary.

4. On 19 August 1998, in accordance with paragraph 7 of resolution 1161 (1998), the Secretary-General submitted an interim report to the Council on the initial conclusions of the Commission (S/1998/777).

5. By the same paragraph, the Council also requested the Secretary-General to submit a final report containing the recommendations of the Commission three months later. The present report is submitted in accordance with that request.

6. During its current operations, the Commission has been financed from the United Nations Trust Fund for Rwanda established for that purpose, and to which a number of Governments have contributed. In addition to those Governments listed in paragraph 60 of the Commission interim report of 19 August (S/1998/777), the Government of Norway has also pledged $90,000 to the Trust Fund. The Commission would like to express its appreciation to the Governments that have contributed to the Trust Fund. Nonetheless, as noted in paragraph 61 of the Commission's interim report, this method of financing gave rise to numerous practical and administrative difficulties during day-to-day operations, and at times caused delays and impaired the Commission's effectiveness.

II. DEVELOPMENTS IN THE SITUATION SINCE THE INTERIM REPORT

7. Since the Commission submitted its interim report in mid-August 1998, the situation in the central African region has been transformed by the conflict that erupted there at about that time. The insurgency in the eastern part of the Democratic Republic of the Congo has since seized the cities of Goma, Bukavu and Uvira in north and south Kivu, captured Kisangani and Kindu, and has reportedly penetrated towards Mbuji Mayi and south into Shaba.

8. In response to the rebellion, and to persistent reports that it was being actively supported by the armed forces of Rwanda and Uganda, some States members of the Southern African Development Community (SADC) also intervened. The armed forces of Angola, Namibia and Zimbabwe have been deployed within the territory of the Democratic Republic of the Congo in support of the Government of President Laurent-Désiré Kabila. Troops from Chad have also been deployed around Buta and Aketi near the border with the Central African Republic in support of the Government of the Democratic Republic of the Congo.

9. These rapid developments have greatly complicated the task of the Commission, both by forcing sudden realignments in the alliances among Governments and armed groups in the subregion, and in making it physically impossible for the Commission to travel to some of the locations it had hoped to visit. The war in the Democratic Republic of the Congo has also apparently made some Governments and other sources less willing to cooperate with the Commission in its investigations.

10. Nevertheless, the Commission has tried to adapt its methods of work to the new situation and has continued to seek information about illegal supplies of weapons and ammunition to the former Rwandan government forces and militia in violation of the arms embargo imposed by the Council. Its efforts to do so are described below.

III. MOVEMENTS/ACTIVITIES OF THE FORMER FORCES ARMÉES RWANDAISES AND INTERAHAMWE

11. In July and August 1994 as the Rwandan Patriotic Front (RPF) took control of the capital, Kigali, and the rest of the country, some 1.7 million Rwandan Hutus, including the perpetrators of the genocide, sought refuge in neighbouring countries, primarily in eastern Zaire and the western part of the United

Republic of Tanzania. From these areas, between mid-1994 and late 1996, tens of thousands of the former Forces armées rwandaises (ex-FAR) and Interahamwe trained, rearmed and plotted to retake control of their country, as documented in the Commission's reports (S/1996/67, S/1996/195 and S/1997/1010).

12. This situation changed dramatically in November 1996 with the advent of the rebellion that overthrew President Mobutu Sese Seko and installed President Kabila in May 1997. Hundreds of thousands of Rwandan refugees returned to Rwanda, while others fled further west, either to escape the fighting or as part of their overall strategy. Also, in December 1996 most of the Rwandan refugees based in the United Republic of Tanzania were forcibly repatriated, though many later apparently returned.

13. Thus, when the Commission returned to the region in May 1998, the ex-FAR and Interahamwe were scattered over a much larger area than when the Commission departed the region in October 1996. As a result of a six-month investigation that included extensive travel throughout the region and hundreds of meetings with government officials, diplomats, humanitarian aid personnel, journalists, researchers, academics and others, the Commission has made substantial progress in tracking the activities and movements of the ex-FAR and Interahamwe. The Commission believes that organized groups of the ex-FAR and Interahamwe were scattered in the following 10 countries: Angola, Burundi, the Central African Republic, the Congo, the Democratic Republic of the Congo, Rwanda, the Sudan, Uganda, the United Republic of Tanzania and Zambia.

14. In addition, the Commission has reason to believe that officers and senior officials of the ex-FAR and Interahamwe are or were located in other countries throughout Africa and outside the continent, including Belgium, Benin, Cameroon, Kenya, South Africa and Togo (see map). However, the Commission has found it difficult to identify and locate the leadership of the former Rwandan government forces and militia, who appear to play a coordinating role.

15. It should be noted that the former Rwandan government forces and militia are sometimes intermingled with other rebel groups, such as the former Forces armées zaïroises (ex-FAZ), and that constant recruitment, casualties and desertions make any effort to compile numbers very difficult. Figures should therefore be treated with caution and should be regarded primarily as indicative.

16. The Commission was not able to visit all the countries where the ex-FAR leadership was reported to be, including those in West Africa. However, the Commission's inquiries in Kenya incline it to believe that the activities of the Rwandan Hutu diaspora in Kenya are significant but less intense than they were in October 1996. The Commission believes that a crackdown by the Government of Kenya in July 1997 resulted in the departure of many Rwandan Hutu from the country, and led to the decision of those who remained to assume a lower profile than before. Nevertheless, the Commission has received credible information that dozens of ex-FAR officers continue to conduct operations in Kenya, including recruitment and fund-raising activities, in order to purchase arms intended for use against the Government of Rwanda.

17. The Commission believes that many ex-FAR and Interahamwe also returned to Rwanda during the latter half of 1997 and throughout 1998. Whereas they tended initially to be concentrated in the north-western prefectures of Gisenyi and Ruhengeri, there were numerous attacks until August 1998 in the prefectures of Kibuye, Gitarama, Kigali and Byumba. During that period, according to the Commission's sources, an estimated 10,000-15,000 ex-FAR and Interahamwe were active at that time inside Rwanda. Ex-FAR/Interahamwe units were also reportedly training in the southern part of the Democratic Republic of the Congo across the border from Angola.

18. Although it did not prove possible for the Commission to visit the Central African Republic, the Congo or the Sudan, it has credible information that organized groups of the ex-FAR and Interahamwe were present in sizeable numbers in all three countries. The Commission believes that the ex-FAR have settled in Mboki, Obo and Rafai in the southern part of the Central African Republic along the border with the Democratic Republic of the Congo, perhaps totalling as many as 2,000 men. On 11 November, nearly 800 Rwandan men who had been registered as refugees were repatriated, at their insistence and against the advice of the Office of the United Nations High Commissioner for Refugees (UNHCR), to the Democratic Republic of the Congo. It is believed that they may have been recruited to fight for the Government of the Democratic Republic of the Congo.

19. Largely on the basis of a recent comprehensive report prepared by the non-governmental organization African Rights, entitled "Rwanda: The Insurgency in the North-West" issued in September 1998, the Commission is of the opinion that the number of the ex-FAR and Interahamwe in the Congo were more numerous still. The Commission understands that elements of the ex-FAR fought on both sides of the civil war in the Congo. Indeed, some sources report that from 2,000 to 3,000 ex-FAR were training in Oyo. Other credible reports found that the ex-FAR and Interahamwe comprised a significant percentage of the 11,000 Rwandan Hutu refugees in camps in Kintele, Lukolela, Liranga and Ndjundou. However, well-placed sources have reported that since the outbreak of the rebellion in the Democratic Republic of the Congo in August 1998, significant numbers of Rwandan refugees in the Congo have crossed into the Democratic Republic of the Congo to enlist in the Forces Armées Congolaises (FAC) in support of President Kabila. The Commission's sources have reported that hundreds of Rwandan Hutus have been openly recruited in Kinshasa and that most of them originated from the Congo and were the ex-FAR.

20. The Commission has received voluminous reports that the ex-FAR and Interahamwe are or were present in the Sudan. It has been told from different and unrelated sources that the ex-FAR and Interahamwe have provided support to the Sudanese armed forces and to non-State actors in the region from bases in the Sudan, and have conducted training in that country. The Commission has been informed from different sources that between 5,000 and 8,000 ex-FAR have been located in the southern Sudan and training in camps in Juba, Yambio, Amadi and Ngangala in the south as well as in the capital, Khartoum. The Commission has also received several reports that the Government of the Sudan has transported supplies, including arms and related matériel, to the ex-FAR and Interahamwe in the Democratic Republic of the Congo. The Commission notes that there are numerous reports that the Government of the Sudan has transported the ex-FAR among other rebel groups and perhaps some mercenaries to the Democratic Republic

of the Congo in support of President Kabila during the current rebellion there. The Commission has not been able directly to verify these reports.

21. The ex-FAR are also known to have forged close ties with various Burundian rebel groups and to have participated in military attacks with them against the Government of Burundi such as the 31 December 1997 raid on the airport at Bujumbura (see S/1998/777, para. 57). The Commission is in possession of an agreement between the ex-FAR and the Forces nationales de libération (FNL) concluded in Cibitoke prefecture of Burundi in May 1997, which it believes to be authentic, that a battalion of the ex-FAR agreed to integrate with a formed unit of FNL. The Commission is also in possession of another document from November 1997 that calls for other ex-FAR members to join this coalition. The numbers involved are not known.

22. The Commission has also received reports that formed units of the ex-FAR were present in territory held by the União Nacional para a Independência Total de Angola (UNITA) within Angola, as well as in the western part of the United Republic of Tanzania and north-western Zambia. The Commission understands their numbers to have been approximately 1,500, 3,000-5,000 and up to 2,000, respectively, although information on the activities of the ex-FAR and Interahamwe in Angola is relatively limited.

23. The Commission received conflicting reports on the presence of the ex-FAR inside Uganda. While it is known that the ex-FAR have conducted raids inside Uganda along with Ugandan rebels from across the border in the north-eastern part of the Democratic Republic of the Congo, it is not clear if they are actually based in Uganda.

24. Since the rebellion in the Democratic Republic of the Congo began in August 1998, however, most of the ex-FAR and Interahamwe appear to have converged on the Democratic Republic of the Congo from the various countries to which they had been scattered. The Commission's sources estimate that there were already about 5,000 to 8,000 in the north-eastern part of the Democratic Republic of the Congo and 10,000 in the south, and the Commission believes these forces have been substantially augmented in the past two months. The Commission has received credible information that the majority of the Armée pour la libération du Rwanda (ALIR), which comprises at least a significant part of the ex-FAR, have also left Rwanda for the Democratic Republic of the Congo, and have been supplemented by recruits arriving principally from the Central African Republic, the Congo and the Sudan. The Commission believes, on the basis of the information presented in detail below, that since the outbreak of the insurgency in the Democratic Republic of the Congo, the ex-FAR and Interahamwe have been receiving significantly enhanced support from some of the Governments of the region.

25. According to multiple sources the Commission encountered throughout Africa, a new factor is now present in the ex-FAR's financial dealings. Partly in order to help finance their arms purchases, members of the ex-FAR and Interahamwe, like some other armed groups in the subregion, are directly involving themselves in the narcotics trade. Information available to the Commission suggests that Mandrax destined for South Africa is smuggled from India into Kenya and the United Republic of Tanzania, mainly through Mombasa and Dar es Salaam. Most of

the drugs are then shipped to Europe. Narcotics are also said to come from Latin America to southern Africa. Numerous reports implicate some prominent members of the ex-FAR and Interahamwe based in Mombasa and Dar es Salaam.

IV. ACTIVITIES OF THE INTERNATIONAL COMMISSION OF INQUIRY

A. Activities in Belgium

26. From 22 September to 4 October 1998, two Commission members visited Belgium to investigate reports that Belgian airports and middlemen had been involved in the export of arms destined for the former Rwandan government forces. The members also participated in an international conference on international security with a separate session on the trafficking of illegal arms. On 29 September, the members met with Eric Dericke, the Minister for Foreign Affairs of Belgium, who reiterated his Government's strong support for the Commission's work. The Minister emphasized that the Commission's mandate was too narrow and that it should become more permanent in order not to waste time and lose contacts between successive reactivations. If the mandate of the Commission were to be extended, he would welcome the participation of the Commission at meetings of the Belgian Government's inter-ministerial committee on arms trafficking. The Minister assured the Commission that the Government of Belgium would continue to provide financial support to the United Nations Trust Fund for Rwanda.

27. On 28 and 29 September, the two members of the Commission visited the airports of Oostende, Zaventem and Gosselies, where Belgian airport authorities explained in detail the efforts they were making to ensure that the airports were not used in the trafficking of arms. At Oostende, the authorities had banned 32 cargo aircraft by the end of 1997 from operating there because of excessive noise pollution. Some of these aircraft had reportedly been involved in the transportation of illegal arms shipments to central Africa.

28. The Commission members also met with sources developed in previous visits to Belgium and who had been found to be reliable. These sources indicated that the former Rwandan government forces had developed links with the Government of the Sudan, and that they appeared to have established themselves in Kinshasa and elsewhere in the Democratic Republic of the Congo, apparently with the support of the Government of President Kabila.

B. Activities in Burundi

29. The Commission visited Bujumbura from 12 to 18 September 1998 in order to follow up strong indications, reported in its report of 19 August (S/1998/777), of close links between the ex-FAR and Interahamwe and Burundian rebel groups.

30. During its visit, the Commission met with the Minister of Defence, Colonel Alfred Nkurunziza; the Minister of the Interior and Public Security, Colonel Ascenson Twagiramungu; the Minister of Transportation, Posts and Telecommunications, Colonel Epitace Bayaganakandi; the Minister of Justice,

Thérence Sinunguruza; as well as officials in the various ministries, diplomatic sources and others.

31. The Ministers and other government officials spoke in detail about the activities of the Burundian insurgents, making it clear that arms were easily available in the subregion from a number of suppliers. The Minister of Defence confirmed information already available to the Commission that Rwandan fighters thought to be connected to the ex-FAR had participated in the attack on the airport at Bujumbura in January 1998, and that they were currently operating together in the Democratic Republic of the Congo.

C. Activities in Ethiopia

32. From 8 to 11 September 1998, the Commission visited Ethiopia to discuss the implications of the recent Organization of African Unity (OAU) resolution on small arms; to discuss the role that might be played by the OAU Central Organ of the Mechanism for Conflict Prevention, Management and Resolution in limiting arms flows; and to meet with the International Panel of Eminent Personalities to Investigate the Genocide in Rwanda. The Commission also met with the OAU Secretary-General, Salim Ahmed Salim, as well as with diplomats from a number of African countries, United Nations officials in Addis Ababa and others.

33. On 10 September, the Commission met with the Troika of the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution: the Ambassador of Burkina Faso, the Chairman of the Central Organ; the Ambassador of Zimbabwe; and the Ambassador of Algeria. The Commission also met with several of the Ambassadors of the 15 States members of the Central Organ. They acknowledged that the Central Organ was still not functioning as hoped, but that progress was being made, and that the Security Council and the international community needed to show an enhanced commitment if the Central Organ was to be effective. They said that OAU was going to commission a study to evaluate the Conflict Management Centre.

34. On 8 September, the Commission met with Abdalla Bujra, Chief Executive Officer and Head of the Secretariat of the International Panel of Eminent Personalities to Investigate the Genocide in Rwanda. The Chairman briefed Mr. Bujra extensively on the Commission's mandate and work and pledged the Commission's full cooperation. Mr. Bujra recommended that the Commission attend the first meeting of the Panel to share its expertise and answer questions. However, as the first meeting of the Panel was scheduled to take place at the time when the Commission would be departing for New York, it was not possible to attend.

35. The Commission's various interlocutors in Addis Ababa generally took the view that a regional approach was required to address the problem of illegal arms flows. Weapons from one subregion spread to other parts of Africa and fuelled other conflicts, while conflicts in other regions resulted in the transfer of weapons to the Great Lakes region. A holistic approach that looked at socio-economic aspects of the conflict as well as the role of other rebel movements and Governments was seen to be necessary in coming to grips with the problem. The Ambassadors of the Sudan and Senegal talked at length about the

need to have a new mandate to cover the whole region to make further progress in curbing the flow of illegal arms in Africa.

36. On 10 September, the Commission met with a representative of the European Union (EU). The Chairman of the Commission suggested that the EU African Working Group might wish to consider ways to persuade the Governments of Eastern Europe, especially those that aspired to full EU membership, to curb illegal activities of companies and individuals within their territory vis-à-vis the arms trade. The Chairman further suggested that EU members might consider taking stronger measures to control customs and excise, given the problems some of its members have acknowledged in combating the illegal trafficking of arms.

D. Activities in Kenya

37. In its interim report, the Commission described its efforts to secure meetings with senior officials of the Government of Kenya. Immediately following the issuance of the report, on 20 August 1998, the Ministry of Foreign Affairs contacted the Commission to expedite its meetings with the officials concerned.

38. On 26 August, the Commission met with the Attorney-General, Amos Wako. The Attorney-General pledged his full cooperation in matters that fell within his jurisdiction.

39. The Attorney-General said that the Government was very concerned about reports that its territory was being used for the illegal trafficking of weapons and other activities intended to destabilize the region, and that the Government would do everything in its power to investigate and put an end to such activities. Mr. Wako said that he was working closely with the International Criminal Tribunal for Rwanda and that there were good relations between the Government of Kenya and the Tribunal. He acknowledged the perception that somehow the Rwandan community had learned of the plans to arrest certain individuals prior to the police being able to apprehend the suspects. He believed the Rwandan information network to be quite sophisticated and might have managed to learn in advance of the intentions of the Government of Kenya. As a result, efforts had been made to keep information concerning impending arrests to a smaller, higher-ranking group of government officials. He said that he was not aware that Rwandans in Kenya were recruiting young men from the community to join the insurgency, and requested specific information to back up the allegation so that he could investigate the matter. The Commission provided the Attorney-General with the information requested in writing on 7 September.

40. On 11 September, a member of the Commission met with the General Manager of Operations and the Manager for Security of the Kenya Airports Authority, who assured the Commission of their full assistance and cooperation.

41. On 15 September, the Commissioner of Customs and Excise and his Deputy informed the Commission that they had no knowledge of smuggling of arms or other military matériel passing through Kenya's ports, and expressed readiness to arrange a visit for the Commission to Mombasa.

42. On 30 September, the Government assigned a senior protocol officer to assist the Commission with its meetings. However, it did not prove possible to arrange meetings with the Police Commissioner and the Mombasa Port Authority officials.

43. On 19 October, the Chairman, accompanied by Brigadier Alam, met with President Daniel arap Moi. The Attorney-General, Mr. Wako, also attended the meeting. The President stressed that Kenyan law did not permit the illegal importation or exportation of arms. Concerning the conflict in the Democratic Republic of the Congo and the resulting fluidity in the subregion, the President referred to the summit meeting of Heads of State on East African Cooperation that had taken place at Nairobi the previous day, 18 October, to discuss the situation in the Democratic Republic of the Congo. At that meeting, the Heads of State of Kenya, Uganda and the United Republic of Tanzania had, inter alia, called for the orderly withdrawal of all foreign troops from the Democratic Republic of the Congo and the deployment of a neutral international peacekeeping force under the auspices of the United Nations and OAU. President Moi stated his view that the peacekeeping force should be deployed on the borders with the Democratic Republic of the Congo, Burundi, Rwanda and Uganda to ensure security for all countries, including minority ethnic groups. As for the withdrawal of forces, President Moi stated that those forces which had not been invited by the Government of the Democratic Republic of the Congo should withdraw first.

44. On 27 October, three members of the Commission met with Z. K. A. Cheruiyot, Permanent Secretary of Provincial Administration and Internal Security in the Office of the President Mr. Cheruiyot is also in charge of the police and intelligence services. Since the Commission was about to leave for New York in order to complete its report, it was not in a position to take advantage of the Permanent Secretary's offer of assistance in arranging meetings with other senior government officials, but agreed, subject to any decision to be made by the Security Council concerning the future of the Commission, to resume contacts with him at a later date if possible.

45. Furthermore, the Commission has received information that a senior Rwandan Anglican Church official is allegedly operating a recruitment and intelligence-gathering network in Nairobi. Members of the Rwandan Hutu opposition party the Rassemblement pour le retour des refugiés et de la démocratie au Rwanda (RDR) are also said to be involved, and are using the communication facilities of the senior Church official to carry out liaison with their base in Belgium. These activities are partly financed by some of the funds allocated to help refugees in distress. Before and since the outbreak of the rebellion in Kivu, individuals related to this network have been trying to convince young Rwandan male refugees to undergo military training in camps in the United Republic of Tanzania. During October 1998, according to information available to the Commission, the Rwandan extremists in Nairobi claimed to have 7,000 recruits ready to attack Rwanda from its bases in the United Republic of Tanzania.

E. Activities in Mozambique

46. In response to general information to the effect that arms trafficking in Africa, including the traffic in illegal arms to the ex-FAR, is often conducted overland, the Commission visited Maputo from 11 to 15 October.

47. During its visit, the Commission met with the Deputy Minister for Foreign Affairs and Cooperation, Hipólito Pereira Zózimo Patrício; Paulo Muxanga, Minister of Transportation and Communication, together with the Directors of Maritime and Ports, Civil Aviation and Road Transportation; Colonel Henrique Banze, the Director of National Policy in the Ministry of Defence; and Armando Mário Correia, Secretary-General of the Ministry of Interior, as well as the Deputy Director of Internal Operations for State Security, C. S. Mutota.

48. From its discussions with these government officials and with other sources, including well-informed members of civil society, the Commission formed the impression that small arms were commonly available in Mozambique and that they circulated freely in the subregion across national boundaries despite efforts by SADC to prevent their proliferation. The Government had no information on the illegal supply of weapons to the ex-FAR.

F. Activities in Rwanda

49. Since the issuance of its report of 19 August (S/1998/777), the Commission's continuing discussions with a wide range of sources in Rwanda, including military and intelligence officers, have reflected the rapid and often confusing shifts in the situation in the Democratic Republic of the Congo and within Rwanda itself. In many cases, the information provided to the Commission, though often detailed, was impossible to verify in the time available, and in view of the fighting that has spread across the eastern part of the Democratic Republic of the Congo.

50. A well-placed military intelligence source informed the Commission in detail of the activities of Rwandan government troops in the Democratic Republic of the Congo, including their involvement in the capture of Kindu. During that operation, according to the source, they had taken some 400 prisoners, including Sudanese soldiers, Ugandan rebels (including the son of Idi Amin Dada), Burundian rebels and members of the ex-FAR. The group of soldiers sent by Khartoum included the ex-FAR with high-ranking officers and Sudanese soldiers, it was alleged. The Commission has not been able to verify these statements.

51. The same official told the Commission of the ex-FAR's efforts to obtain weapons with the help of other Governments. The information provided concerned meetings held by the ex-FAR and others in July, August and September 1998 aimed at establishing supply channels for arms from overseas to the ex-FAR. The first shipment was believed to have arrived from East Asia to the port of Beira between 6 and 10 August 1998. The arms were to have been transported to Zimbabwe and onwards to Lake Tanganyika, but the final destination was not known. The official also said that in mid-September 1998 a group of ex-FAR officers, business people including the Rwandan businessman Felicien Kabuga, the ex-FAZ and officials from another Government had gone to south-east Asia to

purchase arms. The source promised to make available more information at a later date.

52. The same source told the Commission member that at the beginning of September the Minister of Justice of the Democratic Republic of the Congo, Mwenze Kongolo, had visited Nairobi to seek the support of the Government of Kenya. While in Nairobi the Minister had allegedly met senior officials of the former Government and armed forces of Rwanda such as Lieutenant-Colonel Jean-Bosco Ruhorahoza, Casimir Bizimungu and Rafiki Hyacinthe Nsengiyumva, to ask the ex-FAR to launch attacks on Goma, which they did. The source said that besides Felicien Kabuga, the former Director of the Rwandan Central Bank, Denis Ntirugilimbabazi, was supporting the ex-FAR financially.

53. The Commission also received detailed but sometimes conflicting reports from other sources concerning apparent changes in the modus operandi, the armament and the composition of insurgent groups within Rwanda, which now appeared to make more widespread use of women and child fighters. These changes suggested that trained and experienced male fighters were increasingly fighting within the Democratic Republic of the Congo, rather than inside Rwanda.

54. On the other hand, according to other sources, the insurgency was continuing to gather strength in north-western Rwanda and now engulfed the prefectures of Ruhengeri, Kibuye, Gitarama and Gisenyi.

55. Other sources alleged that the ex-FAR within Rwanda had received shipments of arms across Lake Kivu before the outbreak of the rebellion in the Democratic Republic of the Congo, and described the weaponry said to have been supplied to them, as well as the supply routes. The same source said that military training camps for Burundian and Rwandan rebels were located in Lukole (in the national park), Bayarumulu (near Nyakanasi), Karagwe and Kibondo in the United Republic of Tanzania. Some of the ex-FAR had received training in the northern Sudan and were now fighting in the conflict in the Democratic Republic of the Congo.

56. On 15 October, a source with whom the Commission had met previously and whom it had found to be reliable said the insurgency in the north-west comprised now a greater number of uniformed and armed men. The Banyamulenge rebellion in the eastern part of the Democratic Republic of the Congo had not provoked any increase in the fighting inside Rwanda in August, since most of the ex-FAR had withdrawn to fight against the rebellion. Most of the experienced troops of the Rwandan Patriotic Army (RPA) formerly stationed in western Rwanda were now in the Democratic Republic of the Congo. At the same time, said the source, the Government of Rwanda had recently had to reinduct demobilized troops in order to deploy them inside Rwanda.

G. Activities in South Africa

57. The Commission returned to South Africa from 15 to 17 October 1998 to follow up on the meetings it had held there from 22 to 29 July.

58. Senior researchers from the Institute for Security Studies, who met with the Commission on 16 October, believed that ex-FAR and Interahamwe fighters from

the Congo had been recruited in Kinshasa to help defend Kindu. They also said that it was their understanding that elements of the ex-FAR and Interahamwe had undertaken joint operations with the Burundian insurgent group, the Front pour la défence de la democratie (FDD), and with the Allied Democratic Front, a Ugandan anti-government group.

59. The senior researchers also promised to provide the Commission with documents describing a $2 million shipment of weapons from a company based in south-eastern Europe destined for the Great Lakes region.

60. The Commission also met with the Deputy Director-General of the South African Secret Service, who clarified and corroborated information already available to the Commission concerning the insurrection in the Democratic Republic of the Congo and the changing fortunes of the ex-FAR.

H. Activities in the United Republic of Tanzania

Arusha

61. Following its meetings with officials of the International Criminal Tribunal for Rwanda during June and July, the Commission requested permission from the Registrar to interview specific detainees believed to possess information pertinent to the Commission's mandate. However, despite the Tribunal's full cooperation, it did not prove possible to interview any of the detainees who, on the advice of their legal counsel, declined to meet with the Commission.

62. However, during their visit to Arusha on 19 and 20 October, two members of the Commission met with Tribunal officials, who provided useful information pertinent to the Commission's mandate. In particular, the Commission was told that ex-FAR General Bizimungu and a number of his high-ranking officers were currently part of the senior staff in the army of the Democratic Republic of the Congo.

Dar es Salaam

63. The Commission was able to visit Dar es Salaam from 8 to 10 October, and met with officials of the Government of the United Republic of Tanzania to discuss reports that the Rwandan Hutus were receiving military training in Lukole and Karagwe in the western part of the United Republic of Tanzania.

64. On 8 October, the Commission met with the Deputy Minister for Foreign Affairs, Emmanuel A. Mwambulukutu. Like other officials of the Government of the United Republic of Tanzania interviewed by the Commission, Mr. Mwambulukutu spoke at length about the difficult and unforgiving situation that the United Republic of Tanzania found itself in because of its policy towards refugees. He said that the United Republic of Tanzania was a "victim" of its own hospitality and that his Government was "very much disgusted" with the unfounded allegations that military training was occurring in the camps. The Minister recalled that an investigation jointly conducted by his Government and UNHCR in May 1997 had

found no arms in the camp or training being conducted there. However, he said that the camps were neither fenced-in nor monitored 24 hours a day.

65. Information provided to the Commission by United Nations officials, one of whom had had first-hand experience in Angola, appeared to confirm the Commission's understanding that some 2,000 to 2,500 Rwandan refugees had unsuccessfully tried to enter Angola in June/July 1997 after fleeing Uvira in October 1996 and instead had settled in the Maheba refugee camp in Zambia. The majority of this group was said to be ex-FAR and Interahamwe.

66. During its visit to the United Republic of Tanzania, the Commission also met with F. S. Busigara, Commissioner for Customs and Excise and his deputy; D. J. Daudi, Deputy Commissioner of Police; and W. Kaihula, Acting Director of the Refugee Department in the Ministry of Home Affairs. These officials stated that they had no knowledge of any illegal arms shipments being detected at any Tanzanian ports. However, they also described the difficulties involved in policing the activities of refugees resident in the United Republic of Tanzania with the limited resources available to the Government. They stated that there was no evidence to support continuing allegations of military training taking place in the forest outside the camps.

I. Activities in Zambia

67. A member of the Commission visited Lusaka from 27 September to 2 October to obtain information the Government of Zambia had promised to furnish during the earlier visit paid by the Commission in July and to pursue various leads. The Commissioner had a number of meetings with government officials, diplomats and private individuals.

68. The Commissioner found a unanimity of views that the Government of the Democratic Republic of the Congo was now supporting the ex-FAR and Interahamwe and was fomenting anti-Tutsi hatred. He also received detailed information on trends in arms trafficking and the financing of illicit activities in the region, as well as data concerning air traffic and cargo operations.

69. On 28 September, a reliable source, subsequently supported by another, informed the Commissioner that the Government of the Democratic Republic of the Congo was training and rearming the ex-FAR and Interahamwe and that it had been deploying them into military operations, including attacks on Goma. The source estimated that up to 10,000 ex-FAR and Interahamwe, some of them new recruits, were present throughout the Democratic Republic of the Congo. At the same time, the mass media controlled by the Government of the Democratic Republic of the Congo was spreading hatred against the Tutsis, giving rise to fears of another genocide.

J. Activities in Zimbabwe

70. In order to supplement its knowledge of arms trafficking throughout southern Africa in general and its understanding of Zimbabwe's involvement in the Democratic Republic of the Congo in the context of the ex-FAR in particular,

the Commission repeatedly but vainly sought an invitation from the Government of Zimbabwe to visit the country. Eventually, a member of the Commission decided to visit Harare from 2 to 7 October and held a series of meetings with government officials, diplomats and others.

71. In a meeting on 5 October, the Permanent Secretary for Foreign Affairs, Andrew Mtetwa, stressed that his Government wished to assist the Commission but that it was currently preoccupied with events in the Democratic Republic of the Congo. He suggested the Commission meet with the SADC Inter-State Defence and Security Committee, which possessed information on illicit arms trafficking in the region.

K. Contacts with Bulgaria

72. On 7 September 1998, the Chairman wrote to the Minister for Foreign Affairs of Bulgaria to inquire about the alleged involvement of two airline companies registered in Bulgaria in delivering weapons to the ex-FAR. A reply has not yet been received.

L. Contacts with France

73. On 13 August 1998, the Chairman wrote to the French Minister for Foreign Affairs to inquire if the Government of France was aware of the findings of the Attorney-General of Switzerland concerning the Banque national de Paris and the South African arms broker, Willem Ehlers, as described in the Commission's report (S/1998/63, paras. 16-27). The Commission also asked if the Government of France were investigating the matter. The Commission has not yet received a response from the Government.

M. Contacts with the United Kingdom of Great Britain and Northern Ireland

74. On 18 August 1998, the Commission wrote to Her Majesty's Customs and Excise and the British Minister of State for Foreign Affairs informing them of reports it had received about the activities in 1994 of a British aviation company, Mil-Tec Corporation, in apparent violation of the United Nations arms embargo against the ex-FAR and Interahamwe. The Commission asked if the Government of the United Kingdom was aware of these allegations and if so what action had been taken. By a letter dated 9 October 1998, Tony Lloyd, Minister of State for Foreign Affairs, explained that the Government of the United Kingdom was aware of the allegations contained in the Commission's correspondence and had fully investigated the matter. The Government had concluded that there had been delays and omissions in implementing the United Nations arms embargo on Rwanda in the United Kingdom, its dependent Territories and crown dependencies, which included the Isle of Man on which the Mil-Tec Corporation was registered. It had also concluded that "because the legislation imposing the embargo in the United Kingdom did not fully cover the supply of arms to neighbouring countries, the Customs and Excise investigation was unable to take forward criminal proceedings against Mil-Tec for a breach of the United Kingdom law". Mr. Lloyd

reiterated the Government's continued cooperation with the work of the Commission.

V. UNFINISHED BUSINESS

75. For various reasons, primarily the practical difficulties and rapid shifts in the policy of several Governments that arose from the outbreak of armed insurrection in the Democratic Republic of the Congo in August 1998, it was impossible for the Commission to proceed with many important aspects of its inquiries. The Commission is also bound to note that many Governments cooperated with it with apparent reluctance and considerable delay.

76. As indicated in its report of 19 August (S/1998/777), the Commission has continued its attempts to visit the Democratic Republic of the Congo. Though the initial response from the Government of President Kabila was favourable, its attitude towards the Commission evidently shifted as the Government became increasingly hostile towards Rwanda and Uganda. In direct correlation, the Government's position vis-à-vis the former Rwandan government forces, who have remained immutably opposed to the current Government of Rwanda, has likewise evolved. The Commission would have welcomed the opportunity to discuss with the Government of the Democratic Republic of the Congo repeated allegations that it has collaborated in the rearming and training the ex-FAR but, despite repeated requests, has never received an invitation to visit Kinshasa.

77. The Commission's efforts to locate the ex-FAR and Interahamwe and investigate their activities would have benefited from visits to Angola, the Central African Republic, the Congo, the Democratic Republic of the Congo and the Sudan, none of which it proved possible to visit under the circumstances. Additionally, the Commission would have liked to visit the refugee camps and environs in the western part of the United Republic of Tanzania. However, this was not possible owing to the belated response of the Government. Further information might also be available in Burundi, Rwanda, South Africa and Uganda, where all four Governments have shown themselves willing to assist the Commission in its investigations.

78. Lack of time has prevented the Commission from following up reports it has obtained concerning the origin of the weapons sold or supplied to the former Rwandan armed forces and militia. The primary source for these weapons appears to be mainly, but not exclusively, countries in Eastern Europe and East Asia. Another avenue left unexplored for lack of time and resources concerned the activities of air cargo companies, many of which are reported to be based in some countries in Eastern and South-eastern Europe.

79. Lack of time has also prevented the Commission from following up adequately on voluminous information it has received from a number of Governments and other sources. This information includes documents received from the Government of Burundi and data on air traffic and cargo operations collected from Zambia and elsewhere. Nor has the Commission been able to inspect weapons captured from the ex-FAR and to trace their serial numbers. Replies from some Governments to requests for information are also still outstanding.

80. It would also be desirable to ensure continued links with Governments and regional groups concerned with this issue. In particular, the Commission was invited to participate in the Inter-Ministerial Committee on Small Arms of the Government of Belgium, and would have wished to meet with the SADC Inter-State Defence and Security Committee, as well as with the EU African Working Group. It might also be helpful for the United Nations to maintain links with the OAU International Panel of Eminent Personalities to Investigate the Genocide in Rwanda. Moreover, the Commission regrets not having had the opportunity to continue its work in Kenya and the United Republic of Tanzania in view of the belated response of those Governments. In addition, the Commission is still awaiting a response from the Government of Zimbabwe.

81. It is important to state here that, in view of the reasons explained above, the present report should be considered as incomplete.

VI. CONCLUSIONS AND RECOMMENDATIONS

A. Conclusions

82. The situation in the Great Lakes region is rapidly heading towards a catastrophe of incalculable consequences which requires urgent, comprehensive and decisive measures on the part of the international community. The danger of a repetition of tragedy comparable to the Rwandan genocide of 1994, but on a subregional scale, cannot be ruled out.

83. The Commission first began investigating reports that the former Rwandan government forces and militia were continuing to receive arms and ammunition in violation of the embargo imposed by the Security Council in October 1995. At the Council's request, the Commission has now conducted three tours of duty in the subregion and submitted a total of six reports, including the present document.

84. During the past three years, the former Rwandan government forces and militia have achieved an extraordinary transformation of their position. In late 1994 the former Rwandan government forces and militia, having been violently expelled from Rwanda by the victorious RPF, were in serious disarray, and stood revealed as the perpetrators of a terrible genocide against unarmed civilians. Despite reports that began to emerge during 1995 and 1996 that they were regrouping and rearming themselves, the ex-FAR and Interahamwe remained an international pariah.

85. As their strength grew, the cross-border raids conducted by the ex-FAR and Interahamwe from Zaire into Rwanda to attack the Government of Rwanda and survivors of the genocide became increasingly well-organized and effective. However, the insurgents suffered a major setback when the Banyamulenge, with support from Rwanda, attacked the camps in north and south Kivu and launched the rebellion that led to the seizure of power in Kinshasa by Mr. Kabila in May 1997.

86. During the fighting that accompanied the violent transfer of power in Zaire, the ex-FAR and militia were widely scattered. However, the changing

alliances in and around the Democratic Republic of the Congo have unexpectedly worked to the advantage of the former Rwandan government forces.

87. Persistent reports received by the Commission from numerous sources across southern Africa overwhelmingly attest to this transformation: that the ex-FAR and Interahamwe, once a defeated and dispersed remnant, have now become a significant component of the international alliance against the Congolese rebels and their presumed sponsors, Rwanda and Uganda. The Commission is convinced that the ex-FAR and Interahamwe have continued to receive arms and ammunition, both through their close links with other armed groups in Angola, Burundi, Uganda and elsewhere, and most recently, from the Government of the Democratic Republic of the Congo. Despite the imposition upon them of a Security Council arms embargo, which has remained in force since the genocide of 1994, the ex-FAR and Interahamwe have now become in effect the allies of the Government of the Democratic Republic of the Congo and its allies, the Governments of Angola, Chad, Namibia and Zimbabwe. The new relationship has conferred a form of legitimacy on the Interahamwe and the ex-FAR. This is a profoundly shocking state of affairs.

88. The free flow of small arms into and within Africa is a major long-term cause of insecurity and instability in the central African subregion. It is fuelled by the presence of a multitude of rebel groups in the Great Lakes region who enjoy a large measure of governmental support. Besides the ex-FAR, the Interahamwe and ALIR, there may be up to 20 other rebel groups active not only in the Democratic Republic of the Congo (see appendix II), but also in Angola, Burundi, the Sudan and Uganda. These armed groups exchange arms freely among themselves and receive them from a variety of outside elements. This connection has weakened the effectiveness of the two embargoes imposed by the Security Council on the ex-FAR and Interahamwe and UNITA. Serious consideration should therefore be given to devising a regional solution to the problem of illicit arms trafficking in order to confront this grave challenge to international peace and security.

89. Most of the African Governments with which the Commission has raised this question neither monitor nor report on the sale or movement of small arms on their territories or across their borders. Nor are there treaties or international controls governing the proliferation of small arms, as there are for some other weapons. Most African countries, and in particular the countries in the Great Lakes region, do not have the expertise, training or resources to monitor the illegal flow of arms, and some clearly lack the political will to do so.

90. Where there are laws, they are often circumvented by arms dealers who make use of third countries to arrange arms shipments. Governments should be encouraged to tighten the scope and application of the relevant laws in order to close that loophole.

91. During the past three years, but particularly during the past six months of its present mandate, the Commission has also been struck by the damage done to stability and security in Africa by the uncontrolled flow of small arms. These arms, like the unemployed young men who bear them, cross borders rapidly and without hindrance to wreak havoc on the entire subregion. This destructive

process has been hastened by the close links that have been established among the armed groups, the armies of losers, which proliferate throughout central Africa, and of which the former Rwandan government forces are the most violent, well-armed, well-organized and dangerous. The Commission therefore also wishes to make recommendations that would address the broader problem of small-arms flows in Africa, which would require subsequently a broader mandate to encompass all its aspects.

92. The Commission is disturbed at reports that some members of the ex-FAR and Interahamwe are engaged in smuggling drugs into Africa, primarily to help finance their arms purchases. This worrying new development, which blurs the lines between crime and military insurgency, suggests the need to adopt a broader approach in addressing these linked questions.

93. The Commission is aware that the former Rwandan government forces and militias abused the humanitarian assistance provided to Rwandan refugees, especially by UNHCR, and were accused of using the camps in eastern Zaire as bases from which to attack Rwanda. The Commission looks forward to the outcome of the deliberations of the Security Council's thematic group on the security and neutrality of refugee camps. In particular, the Commission would urge maximum support for measures to be taken by the international community to support the efforts of refugee host countries to ensure the security and civilian and humanitarian character of refugee camps, including in the areas of law enforcement, disarmament of armed elements, curtailment of the flow of arms in refugee camps, separation of refugees from other persons who do not qualify for the international protection accorded refugees and the demobilization and reintegration of former combatants.

B. Recommendations

94. In its report to the Security Council dated 14 March 1996 (S/1996/195), the Commission made a number of recommendations to the Council. These concerned mechanisms to monitor and ensure the implementation of Security Council resolutions, to gather information and to preserve evidence; measures designed to foster stability in the subregion; confidence-building measures designed to reduce the flow of arms in the subregion; and measures to deter further violations of the embargo. While some of these may have been overtaken by events, many remain important and valid, and the Commission invites the Council to reconsider them accordingly.

95. In particular, the Commission invited the Security Council to endorse the conclusion reached at a summit meeting of African Heads of State held at Cairo in November 1995 by which the participating Heads of State viewed with deep concern the use of radio broadcasts to spread hate and fear, and pledged to take all possible action to terminate illegal and inflammatory radio broadcasts from one country into another.

96. The Commission recommends that the Security Council recall that the former Rwandan government forces and militia were responsible for the genocide in Rwanda in 1994, in which more than half a million people, mostly civilians, were massacred. It must now be recognized that the ex-FAR and Interahamwe are a

significant player in the current conflict in central Africa, and that any long-term solution to the conflict must find ways of dealing with them.

97. The wording of resolutions 918 (1994) of 17 May 1994, 997 (1995) of 9 June 1995 and 1011 (1995) of 16 August 1995, which set out the embargo, should be made clearer and more explicit. The embargo was originally imposed on "Rwanda". In June 1995 and again in August 1995, the Council adjusted the embargo on the sale or supply of arms to apply to "persons in the States neighbouring Rwanda if such sale or supply is for the purpose of the use of such arms ... within Rwanda". The Commission therefore invites the Council to reaffirm its embargo on the former Rwandan government forces and militia, irrespective of the purpose for which the weapons or matériel are to be used. Given the involvement of the ex-FAR and Interahamwe in the Rwandan genocide and the ethnic dimensions of the current conflict in the Democratic Republic of the Congo, the Council may also wish to call upon the Governments engaged in the conflict to renounce and dissociate themselves from the former Rwandan government forces and militia and from any appeal to racial hatred.

98. In its interim report (S/1998/777), the Commission submitted evidence that the ex-FAR and Interahamwe were closely collaborating with armed groups of insurgents from other countries. The fact that the ex-FAR and Interahamwe are now the de facto ally of a number of African Governments fighting in the Democratic Republic of the Congo is a far more serious matter. The Commission therefore recommends that the Security Council call upon the Governments concerned to resolve the conflict in the Democratic Republic of the Congo peacefully. The Council should also call upon the Governments concerned to refrain from supplying the former Rwandan government forces and militia with weapons, or participating with them in planning or conducting any military operations. Ultimately, the Council may also wish to consider inviting the Governments of the subregion to consider a moratorium on the manufacture and trade of small arms. Such a proposal might be discussed at a peace conference convened to address the totality of problems in the subregion. In this context, the Commission notes with interest the declaration of a moratorium on light weapons declared by the Authority of the Heads of State and Government of the Economic Community of West African States (ECOWAS) meeting at Abuja on 31 October 1998. The Authority adopted a moratorium on the importation, exportation and manufacture of light weapons in ECOWAS member States and called upon OAU and the United Nations to ensure the adoption of similar steps in other regions of Africa.

99. Much attention has been devoted to the evils of unchecked arms flows in Africa. At the same time, the existence of groups of armed, unemployed men, is grievously destabilizing for the region. This is especially the case when those groups combine together and with Governments to exacerbate any conflict in which they are involved, and to spread conflict from one subregion to the next.

100. The Commission therefore recommends that the Security Council recognize that the proliferation and activities of armed groups harm the interests of all Governments, and calls upon all Governments to refrain from harbouring, collaborating with or supplying such groups.

101. In the longer term, steps must be taken to disarm, demobilize and reintegrate into their various societies the members of the armed groups, including the former Rwandan government forces. The Commission understands that this, if it were ever undertaken, would be an extremely expensive, difficult and risky operation, which would require several years of effort, and for which there seems to be very little political will. Nevertheless, the existence and activities of these groups are so harmful to the security and stability of African States and Governments, so threatening to human rights and so destructive to economic growth, that such an effort ought to be contemplated.

102. The Commission therefore recommends that the Security Council, in the context of its follow-up to the Secretary-General's report on Africa of 13 April 1998 on the causes of conflict and the promotion of durable peace and sustainable development in Africa (A/52/871-S/1998/318), consider ways in which the international community and donors might assist OAU and African Governments in eliminating the threat posed by such armed groups.

103. In order to help deal with the larger issue of uncontrolled arms flows and their harmful effects, the Commission proposes a series of related measures at the national, regional and international levels, as set out below.

104. The Commission recognizes that without political will on the part of the Governments of the region and of the international community, including the donor community, as a whole, technical measures will be ineffective. But where political will is insufficient, it can be generated and stimulated. This process could begin with the recognition by Governments that the uncontrolled movement through their territories of arms and armed men is inherently destructive of their own stability and legitimacy.

105. The Commission notes with interest the recommendations of the Panel of Governmental Experts on Small Arms (A/52/298) and aligns itself with many of the recommendations, including those relating to the strengthening of international and regional cooperation among police, intelligence, customs and border control officials in combating the illicit circulation of and trafficking in small arms and light weapons and in suppressing criminal activities related to the use of these weapons. The establishment of mechanisms and regional networks for information sharing for these purposes should be encouraged. Furthermore, all such weapons which are not under legal civilian possession, and which are not required for the purposes of national defence and internal security should be collected and destroyed by Governments.

106. At the national level, the Council may wish to consider recommending to Member States that they adopt legislation to enforce and strengthen controls on the movement of illicit arms and to respect sanctions regimes. The elaboration of practices governing import/export controls and the issuance of end-user certificates, and the incremental strengthening of police, customs, border control services and other institutions of the State would also serve this end. If the necessary political will and institutions were in place, eventual measures could include the standardization of end-user certificates to make them harder to forge and misuse, and an effective system of marking and identifying weapons.

107. In this context, the Secretary-General noted, in paragraph 27 of his interim report (S/1998/777), that by 1998 only eight African countries had provided information to the United Nations Register of Conventional Arms. The Commission would like to echo the Secretary-General's call to all African countries to participate in the Register and to consider ways of promoting greater transparency, including the establishment of supplementary subregional registers.

108. OAU and the subregional groups, with the assistance of the international community if necessary, should also play a leading role in data collection and sharing, early-warning systems and standard-setting. Under certain circumstances, subregional organizations might be in a position to undertake confidence-building measures such as the stationing of observers at ports, airports and border crossings.

109. The normative role of the international community, including the United Nations, in establishing rules and standards is also important. While the imposition of sanctions, including arms embargoes, can be a useful instrument, it must be supported by specific measures to promote respect for the sanctions. In particular, Member States should be encouraged, where they have not already done so, to incorporate United Nations sanctions into their national legislation and to prosecute their nationals and companies who have violated the sanctions. Consideration might also be given to identifying arms dealers acting in contravention of national legislation or embargoes established by the United Nations.

110. Ensuring respect for United Nations sanctions, especially among the countries with the weakest Governments and those most affected by conflict, will require a sustained commitment on the part of the Organization. Security Council leadership in this difficult but vital undertaking would rank among the most valuable contributions the international community could make to the maintenance of international peace and security, as well as stability and economic development, in the Great Lakes region and in Africa as a whole.

(Signed) Mahmoud KASSEM (Egypt), Chairman

(Signed) Mujahid ALAM (Pakistan)

(Signed) Gilbert BARTHE (Switzerland)

(Signed) Mel HOLT (United States of America)

Appendix I

List of countries visited and representatives of Governments and organizations interviewed

The International Commission of Inquiry wishes to express its deep appreciation to the government officials, diplomats, non-governmental organizations, individual relief workers, journalists and others who assisted it in its inquiries. The following list is incomplete in deference to the wishes of those who requested anonymity.

Belgium

Minister for Foreign Affairs and other cabinet ministers

International Peace Federation Service
Group de Recherche et d'Information sur la Paix et la Securite (GRIP)

Burundi

Minister of Defence
Minister of Commerce, Industry and Tourism
Deputy Administrator General
Director of External Affairs
Minister of Interior and Public Security
Minister of Transportation, Post and Telecommunications
Minister of Justice

Representatives of Belgium and Germany

Chief of the United Nations Office of Human Rights; Director of the United Nations Office in Burundi; and representatives of the United Nations Development Programme; the Office of the United Nations High Commissioner for Refugees; and the World Food Programme

Action Aid
International Federation of the Red Cross and Red Crescent
Burundian League for Human Rights (ITEKA)
Oxfam-Quebec
Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ)

Ethiopia

Representatives of Algeria, Austria, Burkina Faso, Burundi, Chad, Ghana, Egypt, Senegal, South Africa, the Sudan, the United Republic of Tanzania and Zimbabwe

Organization of African Unity
The Secretary-General
The Troika of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution
The Representative to Burundi

Conflict Management Division officials
Chief Executive Officer and Head of the Secretariat of the International Panel of Eminent Personalities to Investigate the Genocide in Rwanda
Senior Liaison Officer, International Panel of Eminent Personalities to Investigate the Genocide in Rwanda

United Nations Children's Fund
United Nations Development Programme
World Food Programme
Head of the United Nations Liaison Office with the Organization of African Unity

International Committee of the Red Cross

Kenya

The President
Attorney-General
General Manager of Operations, Kenya Airports Authority
Manager for Security, Kenya Airports Authority
Commissioner of Customs and Excise, Kenya Revenue Authority
Deputy Commissioner of Customs and Excise, Kenya Revenue Authority

Representatives of Mozambique, Sweden, the United Kingdom of Great Britain and Northern Ireland and Zimbabwe

United Nations agencies and international humanitarian organizations

Office of the United Nations High Commissioner for Refugees
International Criminal Tribunal for Rwanda
World Food Programme
Representative of the Secretary-General and Regional Humanitarian Adviser for the Great Lakes Region
Operation Lifeline Sudan

Human Rights Watch
International Crisis Group
International Resource Group

Sudanese People's Liberation Movement/Army

Mozambique

Minister of Transportation and Communication
Director of Maritime and Ports of the Ministry of Transportation and Communication
Director of Civil Aviation of the Ministry of Transportation and Communication
Director of Road Transportation of the Ministry of Transportation and Communication
Director of National Policy of the Ministry of Defence
Deputy Minister for Foreign Affairs and Cooperation
Director, Africa and Middle East Division of the Ministry of Foreign Affairs and Cooperation

Secretary-General of the Ministry of Interior
Deputy Director of Internal Operations of the Ministry of State Security

Representatives of Germany and the United States of America

United Nations Development Programme
Office of the United Nations High Commissioner for Refugees

League for Human Rights
Human Rights and Development

Director of the Department of Customs and Excise under contract by Crown Agents, a private company

Rwanda

Official of External Intelligence, Rwandan Patriotic Army (RPA)

Representatives of Belgium and Switzerland

United Nations Development Programme
United Nations Children's Fund
International Criminal Tribunal for Rwanda
World Food Programme

South Africa

Deputy Director General of the Secret Service

Representatives of Angola accredited to Zambia

Institute for Security Studies

United Republic of Tanzania

International Criminal Tribunal for Rwanda

Deputy Minister for Foreign Affairs
Commissioner for Customs and Excise
Deputy Commissioner of Police
Acting Director of the Refugee Department
Ministry of Home Affairs

Representatives of Belgium and the Russian Federation

Office of the United Nations High Commissioner for Refugees
United Nations Development Programme
United Nations Children's Fund
World Food Programme
International Criminal Tribunal for Rwanda

Zambia

Representatives of the Ministry of Defence
Deputy Permanent Secretary of the Ministry of Home Affairs
Deputy Permanent Secretary of the Ministry of Foreign Affairs

Representatives of China, France, the Russian Federation and South Africa

World Food Programme

Zimbabwe

Minister of Defence
Permanent Secretary, Ministry of Foreign Affairs
Chief Executive Officer of Zimbabwe Defence Industries
Acting Permanent Secretary, Ministry of Defence
Director-General, Central Intelligence Organization
Director, External Intelligence, Central Intelligence Organization

Representatives of Angola and France

World Food Programme

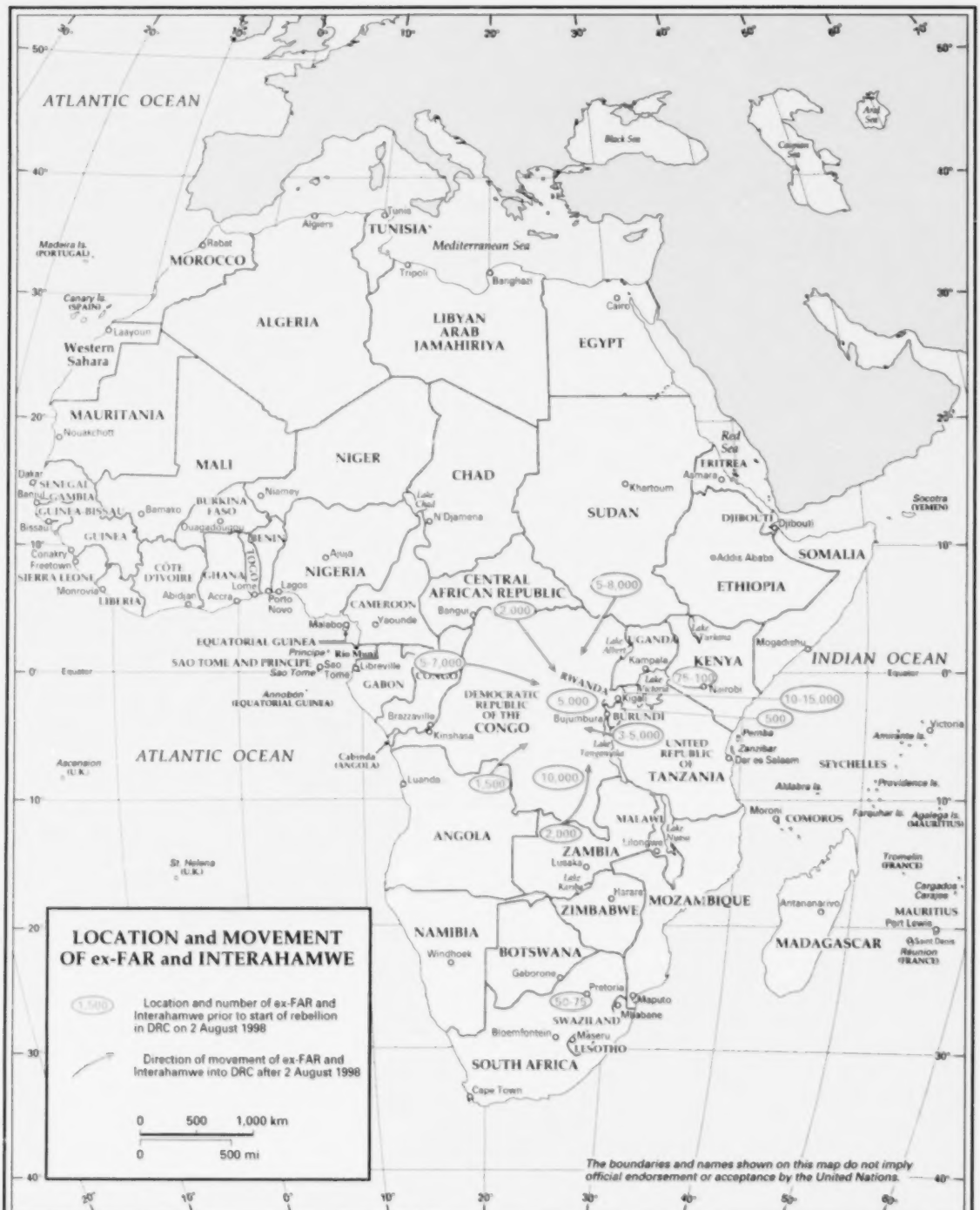
Southern African Regional Institute for Policy Studies
African Defence Journal
Department of Political and Administrative Studies, University of Zimbabwe

Palestine Liberation Organization

Appendix II

Armed groups believed to be operating within the Democratic Republic of the Congo

ADF	Allied Democratic Forces
ALIR	Armée pour la Libération du Rwanda
DRA	Democratic Resistance Alliance
FAC	Forces armées congolaises
ex-FAR	Former Forces armées rwandaises
ex-FAZ	Former Forces armées zaïroises
FDD	Front pour la défense de la démocratie
FNL	Forces nationales de libération
LRA	Lord's Resistance Army
Mayi-Mayi	Rebel group in the eastern part of the Democratic Republic of the Congo
PALIPEHUTU	Partie pour la libération du peuple hutu
RPA	Rwandan Patriotic Army
UNITA	União Nacional para a Independência Total de Angola
UPDF	Uganda People's Defence Force



Map No. 4074 UNITED NATIONS
November 1998

Department of Public Information
Cartographic Section